



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 19, 1998

Mr. Michael J. Bostic
Assistant City Attorney
Criminal Law and Police Division
City of Dallas
Municipal Building
Dallas, Texas 75201

OR98-1260

Dear Mr. Bostic:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 115914.

The City of Dallas (the "city") received a request for the following information:

1. Copies of all complete Internal Affairs investigations on [a particular] officer and any other officer or citizen involved in the same series of events and investigations; and
2. All published Standard Operating Procedures, witness statements, video or audio recordings, and any other documents which were relied upon in imposing this suspension.

By reference to Open Records Decision No. 506 (1988), you assert that sections 552.101 and 552.108 of the Government Code protect the cellular telephone numbers of the police department's officers. As you raise no exceptions to the remainder of the requested information, you must release the remaining requested information to the requestor. We have considered the exceptions you claim and reviewed the submitted sample of information.¹

¹In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

You argue that "release of the cellular numbers of law enforcement officers would unduly interfere with law enforcement efforts," and that "harassing calls to the officers . . . [would] hamper the efforts of officers in fulfilling their duties and responsibilities to the public." Furthermore, you argue that "release of the information could possibly affect the need to have unfettered communication between police officers and other officials during emergency situations." In Open Records Decision No. 506 (1988), this office determined that the statutory predecessor to section 552.108 protects from required public disclosure the cellular mobile phone numbers assigned to public and private vehicles used by county officials and employees with specific law enforcement responsibilities. Open Records Decision No. 506 (1988) governs this aspect of your request. Accordingly, the city may withhold the cellular telephone numbers pursuant to this exception.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL//rho

Ref. ID# 115914

Enclosures: Submitted documents

cc.: Ms. Jane E. Bishkin
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(w/o enclosures)